

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD  
MINUTES OF MEETING  
MARCH 21, 2007  
PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on March 21, 2007, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

**Members Present:**

Sheriff Gary Butler, Chairman  
Mr. Don Conrad, representing Attorney General Terry Goddard  
Mr. Joseph Duarte  
Chief Jack Harris  
Chief Patricia Huntsman  
Deputy Director Steven Ickes, representing Director Dora Schriro  
Ms. Wendy Larsen  
Dr. Michael Polakowski  
Corporal Brandee Ralston  
Chief Jerry Sheridan  
Director Roger Vanderpool

**Members Absent:**

Sheriff Clarence Dupnik  
Detective Robert Thompson

**Staff in Attendance:**

Harry Atkins  
Ted Brandon  
Rod Covey  
Jim DeLung  
Marie Dryer  
Dan Elting  
Ed Felix  
Bob Forry  
Tom Hammarstrom  
Steve Jacobs  
Lori Ketron  
Gary Maschner  
Lyle Mann  
Curt Milam

Sandy Sierra  
Maria Valtierra  
Rick Watling

Assistant Attorney General  
Diana Stabler

**A. CALL TO ORDER**

Chairman Butler called the meeting to order at 10:04 a.m.

**B. CONSENT AGENDA**

The Consent Agenda was approved unanimously, motion made by Chief Sheridan, seconded by Chief Huntsman.

1. Minutes of the Regular Board meeting, held on January 17, 2007, were approved as written.
2. Minutes of the Charging Board meeting, held on February 21, 2007, were approved as written.
3. The next scheduled Charging Board meeting is Wednesday, April 18, 2007, at 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

The next scheduled Regular Board meeting is Wednesday, May 16, 2007, 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

4. Ministerial Actions:
  - a. Certification Waivers: LIST ATTACHED TO AGENDA PACKET.
  - b. Instructor Certification Renewals: LIST ATTACHED TO AGENDA PACKET.
  - c. Training Program Confirmations: LIST ATTACHED TO AGENDA PACKET.
5. Decertification Case Status Report - As of January 30, 2007, the Compliance and Standards Unit had a caseload of 158 active cases. 14 cases are ready for initial presentation; 65 cases need further investigation; 16 cases are pending service of or response to a Notice of Complaint or Decision; 6 cases are pending hearing; 8 cases are ready for final action, and 49 cases are waiting for outside action, i.e., a criminal trial or civil service hearing.

## 6. Income and Expense Statement – January 2007

Funds as of November 1, 2006	\$ 2,012,088.22
CJEF Revenue	550,762.18
Expenditures/Encumbrances	(744,676.60)
Balance for November 30, 2006	\$ 1,818,173.80

**C. REGULAR AGENDA**1. Introductions

Executive Director Hammarstrom presented a plaque to Sgt. Tamatha Villar from the Pinal County Sheriff's Office. Sgt. Villar served on the POST Board for six years and did an outstanding job. The plaque was in appreciation for her service while on the Board.

Director Hammarstrom introduced Sharon Allen, Assistant Chief from the Tucson Police Department. Chief Allen was recently appointed as the Administrative Assistant Chief with the Department and oversees personnel and training.

Director Hammarstrom also introduced members of the Navajo Nation Tribal Council Subcommittee on Criminal Justice. This subcommittee oversees public safety, police, fire and EMS on the Navajo Nation.

2. Additional Funding for Firearms Range Enhancement Grants

POST staff is requesting that an additional \$150,000 be allocated towards the firearms range enhancement budget for this fiscal year. The increase in funding is due to the overwhelming success of the program that provides grants to agencies for enhancement of their firearms range. Also included in this request is a request to allow agencies in Pima and Maricopa counties to apply for funding for range enhancements.

Director Vanderpool moved that \$150,000.00 be added to the funds allocated for firearms range enhancement in the 06/07 fiscal year budget, and that eligibility for grants be extended to agencies within Maricopa and Pima counties, seconded by Corporal Ralston, motion carried unanimously.

3. Discussion Item – Basic Training and Facility Advisory Group

The POST Board currently has two intergovernmental agreements with the cities of Tucson and Phoenix to fund the operating costs for the basic training academies at the Arizona Law Enforcement Academy (ALEA) and the Southern Arizona Law Enforcement Training Center (SALETC).

These intergovernmental agreements are due to expire in 2008 (ALEA) and 2010 (SALETC). It is important that the Board conduct planning for the future of Arizona's basic training system and infrastructure. In the past, the Board has used an advisory group consisting of appropriate stakeholders to consider all aspects of basic training provisions and funding, and to make recommendations to the Board for the negotiation of agreements and partnerships.

Director Hammarstrom asked the chairman to appoint an Ad Hoc Committee to address this issue. Director Hammarstrom stated he will consult with stakeholders and will put a list together of possible members and provide this list to the chairman for his consideration.

4. Salt River Pima-Maricopa Indian Community Police Department Petition on Behalf of Jason Jones

The Salt River-Pima Maricopa Indian Community Police Department is petitioning the Board to determine that the pre-employment drug usage by applicant Jason Jones was experimental. If not experimental, it was nonetheless juvenile indiscretion.

Lt. Jim Sutton from the Salt River Pima-Maricopa Indian Community Police Department addressed the Board to petition on behalf of Mr. Jones.

After a brief discussion on this item, Mr. Duarte moved to grant the petition for a determination that the pre-employment drug usage by Jason L. Jones was experimental, seconded by Director Vanderpool, motion carried unanimously.

4.1 AZ Department of Transportation – Motor Vehicle Division Petition on Behalf of April Ropchak

The Arizona Department of Transportation – Motor Vehicle Division- is petitioning the Board to determine that the drug usage by applicant April Ropchak was experimental. If not experimental, it was nonetheless juvenile indiscretion.

Sgt. Dina Rodriguez from the Motor Vehicle Division addressed the Board to petition on behalf of Ms. Ropchak.

After a brief discussion on this item, Corporal Ralston moved to grant the petition for a determination that the pre-employment drug usage by April Ropchak was experimental, seconded by Ms. Larsen, motion carried unanimously.

4.2 AZ Department of Transportation – Motor Vehicle Division Petition on Behalf of Tresa Glore

The Arizona Department of Transportation – Motor Vehicle Division- is petitioning the Board to determine that the drug usage by Specialty Officer Tresa Glore was experimental.

Sgt. Dina Rodriguez from the Motor Vehicle Division addressed the Board to petition on behalf of Ms. Glore.

After a brief discussion on this item, Chief Huntsman moved to deny the petition for a determination that the pre-employment drug usage by Tresa Glore was experimental, seconded by Chief Sheridan, motion carried unanimously.

4. Update on AZ POST Comprehensive Final Exam (CFE)

Lyndon Larson addressed the Board to discuss test results from all Academy CFE Testing completed from July 10, 2006, through December 31, 2006, and January 1, 2007, through February 9, 2007.

There is no motion required on this item. This is an “information only” document presented to the Board.

**D. LEGISLATIVE UPDATE**

Deputy Director Mann informed the Board of current bills going through the legislature.

**E. SUMMARY OF CURRENT EVENTS**

Director Hammarstrom informed the Board that he recently attended a meeting of the Utah POST Board. The Utah POST Board is considering certification action on Colorado City peace officers. Director Hammarstrom stated the Utah POST Board meetings are very similar to the AZ POST Board meetings.

**F. COMMITTEE UPDATE**

Director Hammarstrom informed the Board that the Honesty Position Paper Committee has met twice in the past two months. Chief Sheridan is the chair of this committee and he provided the Board with further information. Chief Sheridan stated even though the committee has only met twice, the consensus of everyone is to not water down the truthfulness policy or the definition of a lie. The committee felt more training is needed before any changes are made to the Policy Statement.

The committee suggested a 4-hour training session be held at Pow Wow in July. After that training the issue will be put on an agenda for the Board to decide on.

## **G. REPORTS**

### **1. Basic Training**

ALEA – Commander Harry Markley, newly assigned commander to ALEA, reported they currently have four classes representing 17 agencies for a total of 193 recruits. The next class will start on April 23. The new 2008 schedule was recently sent out asking for reservations. In 2008 they plan to start with 13 classes. Mike Denny is the new law and legal coordinator at the academy

CARLOTA – Director Rod Johnston reported they currently have two classes in session. The first class started with 23 cadets and now has 16 left, representing 11 agencies. The second class started with 28 cadets and now has 18 left representing 10 agencies. Two more classes will be starting, one in August and one in September. They have received funding for a new firearms range. Central Arizona College contracted to have plans drawn for a new range. The college conducted sound tests due to the proximity of new homes coming to the area in the future. The college feels more sound testing needs to be done before they finalize the plans for the range, there is a debate on whether to have an open or a closed range.

COTA – Commander Branch reported they have graduated 188 out of 236 cadets since the last meeting. They currently have 7 classes representing 254 cadets. In Maricopa County, out of the authorized FTEs, they have no vacancies. They are still having problems in Florence, Winslow, Safford, Globe, but otherwise everything is going well. They recently started a canine academy with 5 officers from DOC.

MCSO – Lt. Mike Mitchell reported they graduated a small class on March 15. They have had good luck with all recruits passing the CFE on the first try. They are now accepting cadets from other agencies

Mesa P.D. Lt. Mark Wesselman reported they currently have two classes in session. The first class has 36 recruits that are scheduled to graduate on March 23. This is the first time they've ever had classes run simultaneously. The other class is in week five. Five cadets are from Apache Junction and 25 from Mesa –

they lost one recruit from AJ and one from Mesa. The next class is scheduled to begin on July 30. All vacancies are filled, Scottsdale and Salt River P.D. have expressed interest in their academy. They normally run 2 classes per year, they are hoping to run 3 in the near future.

PAYSON TRAINING ACADEMY – Sgt. Rod Mamero reported they currently have eight recruits. Their projected graduation date is June 29. They will have six openings in their agency. They will be implementing an advanced basic portion at the end of this class.

PIMA COUNTY S.O. – Lt. David Peru reported they are currently in the 16<sup>th</sup> week of their academy with eleven cadets scheduled to graduate on April 20. Will have another class on May 14 and will hopefully have 40 in that academy.

3. Department of Corrections – Mr. Ickes stated he had nothing new to report at this time.
4. Arizona Regional Community Policing Institute – Rod Covey reported on the Leadership and Police Organization Program. They currently have an Advanced Supervisors Course and he asked the class to observe the POST Board meeting today in order to get a better understanding of what the POST Board does.

#### **H. FINAL ACTION CASES:**

##### Case #1 – Wayne Delowe – Gila River Police Department

*Corporal Ralston recused herself from this case.* The Board considered comments from Assistant A. G. Diana Stabler. Mr. Duarte made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment, seconded by Ms. Larsen, motion carried unanimously.

##### Case #2 – Corey J. Gould – Tucson Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment, seconded by Chief Harris, motion carried unanimously.

##### Case #3 – Estevan A. Marquez – Tucson Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Dr. Polakowski made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment, seconded by Chief Huntsman, motion carried unanimously.

Case #4 – Jason M. Minkler – Maricopa County Sheriff's Office

*Chief Sheridan recused himself from this case.* The Board considered comments from Assistant A. G. Diana Stabler. Corporal Ralston made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment, seconded by Chief Harris, motion carried unanimously.

Case #5 – Todd C. Thurmond – Maricopa County Sheriff's Office

*Chief Sheridan recused himself from this case.* The Board considered comments from Assistant A. G. Diana Stabler. Corporal Ralston made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment, seconded by Director Vanderpool, motion carried unanimously.

Case #6 – Delfina L. Clarey – Clifton Police Department

The Board considered comments from Assistant A. G. Diana Stabler, Delfina Clary and Chief Preston of the Clifton Police Department. Dr. Polakowski made a motion to adopt the Findings of Fact and Conclusions of Law and delay eligibility for certification for a period of ten years, seconded by Chief Sheridan, motion carried with a vote of 6-4.

Case #7 – Lance Davison – Flagstaff Police Department

The Board considered comments from Assistant A. G. Diana Stabler and Lance Davison. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke certification, seconded by Chief Huntsman, motion carried with two nay votes.

Case #8 – Richard P. Dupuy – Tucson Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Corporal Ralston made a motion to adopt the Findings of Fact and Conclusions of Law and revoke certification, seconded by Chief Sheridan, motion carried unanimously.

Case #9 – Steven F. Garcia – Pascua Yaqui Tribal Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke certification, seconded by Corporal Ralston, motion carried unanimously.

Case #10 – Vincent P. Fuca – Tucson Police Department

The Board considered comments from Assistant A. G. Diana Stabler and Vincent Fuca. Chief Harris made a motion to adopt the Findings of Fact and Conclusions of Law and suspend certification for a period of one year beginning on June 5, 2006 and ending on June 5, 2007, seconded by Director Vanderpool, motion carried unanimously.

Case #11 – Steven D. Sachak – Payson Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Ms. Larsen made a motion to adopt the Findings of Fact and Conclusions of Law and revoke certification, seconded by Dr. Polakowski, motion carried with two nay votes.

The Board voted to go into executive session at 11:59 a.m. to review confidential medical records pertaining to charging case number three. The open meeting reconvened at 12:06 p.m.

**I. NEW CHARGING CASES:**Case #1 – Ronald R. Bitah - Navajo Department of Public Safety

Mr. Duarte made a motion to close this case with **No Action**, seconded by Chief Harris, motion carried with two nay votes.

Case #2 – Martin L. Bowling II – AZ Department of Public Safety

*Director Vanderpool recused himself from this case.* Chief Harris made a motion to close this case with No Action, motion dies due to lack of a second. Corporation Ralston make a motion to **Initiate Proceedings**, seconded by Chief Sheridan, motion carried with one nay vote.

Case #3 – Robert C. Dietrich – Phoenix Police Department

*Chief Harris recused himself from this case.* Chief Sheridan made a motion to **Initiate Proceedings**, seconded by Chief Huntsman, motion carried unanimously.

Case #4 – Nissa R. Juarez – Navajo County Sheriff's Office

*Sheriff Butler recused himself from this case.* Dr. Polakowski made a motion to take **No Action with Agency Discretion**, seconded by Mr. Duarte, motion carried unanimously.

Case #5 – David J. Kerr – Peoria Police Department

Director Vanderpool made a motion to **Initiate Proceedings**, seconded by Chief Huntsman, motion carried unanimously.

Case #6 – Chad T. Lisk – Maricopa County Sheriff's Office

*Chief Sheridan recused himself from this case.* Corporal Ralston made a motion to Initiate Proceedings, motion dies due to lack of a second. Dr. Polakowski made a motion to **Research Further**, seconded by Mr. Duarte, motion carried with one nay vote.

Case #7 – Richard C. Sartor – Buckeye Police Department

Mr. Duarte made a motion to close the case with **No Action**, seconded by Chief Huntsman, motion carried with one nay vote.

Case #8 – Christopher J. Young – AZ Department of Public Safety

*Director Vanderpool recused himself from this case.* Chief Harris made a motion to ***Initiate Proceedings***, seconded by Corporal Ralston, motion carried unanimously.

**J. CALL TO THE PUBLIC**

No one addressed the Board during the call to the public.

**K. ADJOURN**

Chairman Butler adjourned the meeting at 12:35 p.m.